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10/049,272

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Gabriel Daemon Engel

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MURABITO, HAO & BARNES, LLP
TWO NORTH MARKET STREET, THIRD FLOOR
SAN JOSE, CA 95113

EXAMINER

NGUYEN, KEVIN M

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/049,272	Applicant(s) ENGEL ET AL.	
	Examiner KEVIN M. NGUYEN	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 84-119 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 84-119 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

In response the applicant's amendment filed on 1/11/2008, claims 1-83 are cancelled, and independent claims 84, 96 and 108 are amended. Thus, claims 84-108 are pending in this application. In response to the applicant's argument, see pages 9-16, filed on 1/11/2008, with respect to the amendment have been fully considered and are not persuasive. The amendment necessitated a new ground(s) of rejection presented in this final office action.

In view of applicant's argument, the rejections of claims 84-108 under 112, first paragraph and 112, second paragraph, stand withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 84, 85, 90, 91, 93-97, 102, 103, 105-109, 114, 115 and 117-119** are rejected under 35 U.S.C. 102(e) as being anticipated by Hogle, IV (US 5,923,307, hereinafter **Hogle**).
2. **Claim 84, Hogle** teaches a system comprising: a multi-component display (in the alternate embodiment, Hogle discloses two component monitors 1 and 2, see figure 6) comprising: a first display screen (in the alternate embodiment, Hogle discloses "1 monitor space," see fig. 7a); and a second display screen overlapping said first display screen (in the

alternate embodiment, Hogle discloses “2 monitor space” is overlapped the “1 monitor space” at a portion 53, see fig. 7a), and a user interface component for selecting at least one display screen for responding to an input (in the background of the invention, Hogle conventionally discloses in col. 1, lines 33-40), and wherein at least one display screen comprises a display screen selected from a group consisting of said first and second display screens (in the background of the invention, Hogle conventionally discloses in col. 1, lines 53-67, and figure 4).

Claim 85, the system of Claim 84, wherein said user interface component comprises at least one is selected from a group consisting of a mouse, a keyboard, and a joystick. (in the background of the invention, Hogle conventionally discloses in col. 1, lines 13-14).

Claim 90, the system of Claim 89, wherein said input is operable to adjust said display of said graphical object on said at least one selected display screen. (Hogle teaches in col. 9, lines 59-66).

Claim 91, the system of Claim 89, wherein said graphical object is selected from a group consisting of a cursor, an icon and an image. (Hogle discloses an icon in fig. 9a).

Claim 93, the system of Claim 89, wherein said graphical object is selected from a group consisting of a graphical object associated with a drawing application and a graphical object associated with a graphical application. (In the background of the invention, Hogle reviews in col. 1, lines 46-50).

Claim 94, the system of claim 84, wherein said input comprises a user input. (In the background of the invention, Hogle reviews in col. 1, lines 25-40).

Claim 95, the system of claim 94, wherein said user input comprises an input to said user interface component. (In the background of the invention, Hogle reviews in col. 1, lines 25-40).

Claim 96, col. 23, lines 21-29 of Hogle teaches a method of controlling display screen selection in a multi-component display (in the alternate embodiment, Hogle discloses two component monitors 1 and 2, see figure 6), said method comprising: detecting a first input to a user interface component (in the alternate embodiment, Hogle discloses in col. 9, lines 62-66); determining at least one display screen of said multi-component display associated with said first input; and (in the alternate embodiment, Hogle discloses in col. 11, lines 26-31); selecting said at least one display screen of said multi-component display screen for responding to a second input, (in the alternate embodiment, Hogle discloses in col. 11, lines 33-34, and figures 8a and 8b).

Claim 97 shares the same limitations as those of claim 85 and therefore the rationale for rejection will be the same.

Claim 102 shares the same limitations as those of claim 90 and therefore the rationale for rejection will be the same.

Claim 103 shares the same limitations as those of claim 91 and therefore the rationale for rejection will be the same.

Claim 105 shares the same limitations as those of claim 93 and therefore the rationale for rejection will be the same.

Claim 106 shares the same limitations as those of claim 94 and therefore the rationale for rejection will be the same.

Claim 107 shares the same limitations as those of claim 95 and therefore the rationale for rejection will be the same.

3. **Claim 108**, the limitation of claim 108 is similar to those of claim 96, though in computer-readable program instructions form (see col. 24, lines 1-15), therefore the rejection of claim 108, will be treated using the same rationale as claim 96

Claim 109 shares the same limitations as those of claim 85 and therefore the rationale for rejection will be the same.

Claim 114 shares the same limitations as those of claim 90 and therefore the rationale for rejection will be the same.

Claim 115 shares the same limitations as those of claim 91 and therefore the rationale for rejection will be the same.

Claim 117 shares the same limitations as those of claim 93 and therefore the rationale for rejection will be the same.

Claim 118 shares the same limitations as those of claim 94 and therefore the rationale for rejection will be the same.

Claim 119 shares the same limitations as those of claim 95 and therefore the rationale for rejection will be the same.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 86-89, 92, 98-101, 104, 110-113 and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hogle in view of Wilks et al (US 6,246,407, Wilks).

Claim 86, Hogle teaches all of the limitation of claim 84, except for said user interface component comprises a touchscreen. Wilks teaches said user input device is a touchscreen, see col. 3, lines 46-47.

Claim 87, Hogle teaches all of the limitation of claim 84, except for said user interface component comprises a pen. Wilks teaches said user input device is a pen, see col. 3, line 47.

Claim 88, Hogle teaches all of the limitation of claim 84, except for said user interface component is further for enabling selection of said at least one display screen in response to a sound. Col. 1, lines 18-24, and lines 40-50 of Wilks reviews a GUI is in focus and addressed in some manner such as point and click. And additional information such as a video game, which inherently has a sound. It would have been obvious to recognize the GUI such as a video game is selected by pointing and clicking in response to a sound.

Claim 89, Hogle teaches all of the limitation of claim 84, except for said user interface component is operable to transition a display of a graphical object to said at least one selected display screen. Wilks teaches the transition from one state to the other may be done in multiple steps range from 2 to several hundred steps, linearly, ect. (see col. 4, lines 35-37).

Claim 92, Wilks reviews said graphic object is associated with a video game application, col. 1, lines 40-50.

Claim 98 shares the same limitations as those of claim 86 and therefore the rationale for rejection will be the same.

Claim 99 shares the same limitations as those of claim 87 and therefore the rationale for rejection will be the same.

Claim 100 shares the same limitations as those of claim 88 and therefore the rationale for rejection will be the same.

Claim 101 shares the same limitations as those of claim 89 and therefore the rationale for rejection will be the same.

Claim 104 shares the same limitations as those of claim 92 and therefore the rationale for rejection will be the same.

Claim 110 shares the same limitations as those of claim 86 and therefore the rationale for rejection will be the same.

Claim 111 shares the same limitations as those of claim 87 and therefore the rationale for rejection will be the same.

Claim 112 shares the same limitations as those of claim 88 and therefore the rationale for rejection will be the same.

Claim 113 shares the same limitations as those of claim 89 and therefore the rationale for rejection will be the same.

Claim 116 shares the same limitations as those of claim 92 and therefore the rationale for rejection will be the same.

The incorporation of the touchscreen and the pen as taught by Wilks into various input device as taught by Hogle would have been obtained as a predictable modification. It would have been obvious to one of ordinary skill in the art could have applied the known “improvement” technique of Wilks in the same way to the Hogle’s input device and the results would have been predictable to one ordinary skill in the art.

Response to Arguments

6. Applicant's arguments with respect to claims 84-119 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen M. Kevin whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin M. Nguyen/

Kevin M. Nguyen
Primary Examiner, Art Unit 2629

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